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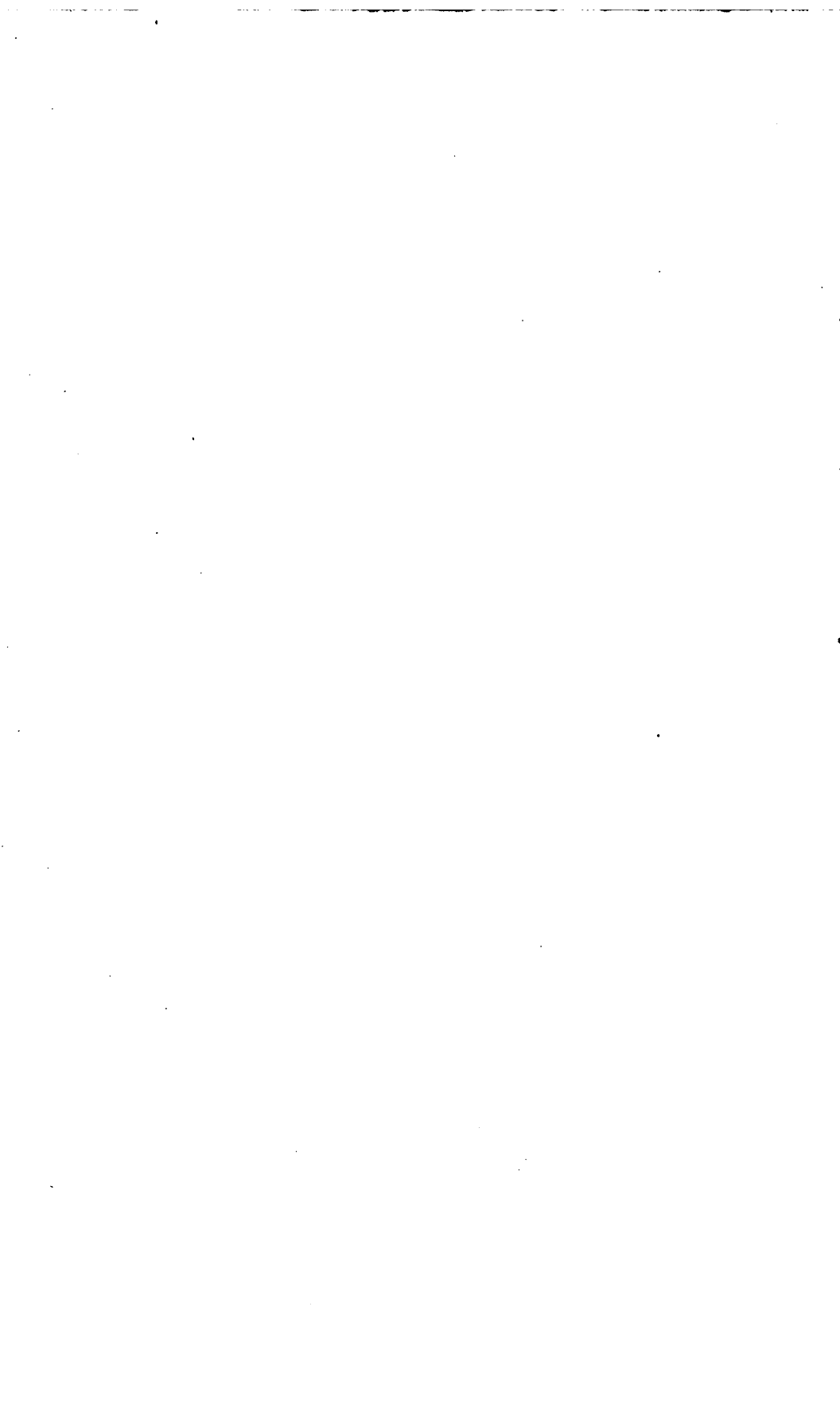
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Robert S. Corbance

ROBERT STETSON GORMAN

Born June 23, 1863

Died June 18, 1933

NEW YORK
PUBLISHED BY THE
GORMAN



August S. Corbitt

ROBERT STETSON GORHAM

BORN JUNE 28, 1863

DIED JUNE 18, 1913

BOSTON
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1915

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Estate of
Rev. Theophilus H. Root

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ADDRESS OF
REV. JULIAN C. JAYNES

WEST NEWTON, JUNE 21, 1913

There are two classes of values in which, as citizens of the world, we have to deal. One class consists of those values which we commonly call material. We measure out the results of toil and say they are worth so much in money or merchandise or some other visible equivalent.

The other class consists of those values which you cannot see, which you cannot measure by any commercial unit. They are spiritual values—values of personality—of moral character.

There are times, perhaps largely in the majority, when the material values press upon us and demand our attention. The average day is a busy day, and of necessity is concerned about bread and raiment.

But there are other times when the roar of traffic is unheard, and in the solemn silence we find ourselves considering the things that are unseen and eternal.

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One of these times is the present hour. The death of the body always throws into prominence the life of the spirit. When a man dies, his companions, with strange unanimity, begin to estimate his character,—begin to ask what he was worth as a citizen, as a man, as a moral presence in the community.

A man has suddenly gone from among us, and you, as his friends and neighbors, are asking that solemn question beside his bier this afternoon. I know I answer for all who knew him, when I say that he was worth much, that he was strong in the things that good men count as strength, that he was rich in the things that weigh most in the scales of God.

His life has been interwoven with the life of this community. For twenty years he has been a prominent factor of service in all matters pertaining to the general welfare.

You will remember him as the able lawyer, the President of our School Board, the promoter of public playgrounds for our youth, the wise and efficient member of this church, and as the friend and neighbor, as the man with whom you exchanged the greetings of

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the day. You will remember him as the genial personality, the straight thinker, the clear seer, the man endowed with the wisdom of humor, with abundant common sense, with unofficious courage, and with a moral sincerity as simple and austere as a Puritan's.

We trusted him perfectly. We knew his judgments were not prejudices and his convictions were not fleeting impressions. We knew that behind the spoken word there was a real man,—a man who stood serenely superior to the guesser's art or the trimmer's legerdemain.

There was no tumult or shouting. He did not deal in exclamations or dally with negatives. He quietly intimated the good thing, and then worked earnestly in its behalf with two constructive hands. And we worked also, because we believed in him and caught the contagion of his example.

That is why we admired and loved him and trusted him,—because he thought in positives, served constructively, and radiated good will.

We are better men and women, and this community is a better community, because he shared our common life and did the work of a whole man.

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There are two immortalities,—the immortality which a soul leaves behind it in a world made better by its presence, and the immortality of a life beyond the grave.

Our friend achieved the first by fidelity to great ideals. The same credentials that gave him this will vouchsafe to him all other rewards which the Eternal Goodness may have in store for his children.

“Happy the man who knows
His Master to obey;
Whose life of care and labor flows
Where God points out the way.

“He riseth to his task
Soon as the word is given,
Nor waits nor does a question ask
When orders come from Heaven.

“Nothing he calls his own;
Nothing he hath to say;
His feet are shod for God alone,
And God alone obey.

“Give us, O God, this mind,
Which waits for thy command,
And doth its highest pleasure find
In Thy great work to stand.”

PROCEEDINGS OF THE BOSTON BAR ASSOCIATION.

LIBRARY OF THE BOSTON BAR ASSOCIATION,
BOSTON, April 10, 1915.

The PRESIDENT (Samuel J. Elder, Esq.).
I will call upon the special committee which
was appointed to present a memorial to our
Brother Gorham.

MR. GEORGE R. NUTTER. Mr. President,
in the absence of Mr. Warner, the Chairman
of that committee, I desire to submit to the
Association the following memorial:—

Robert Stetson Gorham, the son of Daniel
D. and Hannah M. (Stetson) Gorham, was
born at Champlain, New York, June 28,
1863, and died suddenly at Cambridge,
Massachusetts, June 18, 1913. He came of
sturdy New England stock, and many of the
qualities that distinguished him can be traced
directly to his inheritance. On his father's
side he was descended from Captain John
Gorham, of Plymouth, who was in his day a
noted fighter in the Indian wars. After the

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Revolution, in which his great-grandfather took part, the family moved to Rutland, Vermont, and there his grandfather, Eli, although not a member of the Bar and never bred to the law, acquired a local reputation in the community for adjusting the disputes of his neighbors. Eli's son, Daniel, graduated at Middlebury College and became a teacher. A man of stern and austere demeanor, a teacher of the old-fashioned school, he died in harness after nearly twenty years of service in the high school at Northampton, Massachusetts.

On his father's side, Robert Gorham acquired an honesty of mind, a calm and well-balanced method of arriving at a conclusion, and an unflagging resolution in carrying his conclusions into effect.

On his mother's side, he came from Robert Stetson, the cornet of horse, who settled in that part of Scituate which is now Norwell in 1634, and who was for many years a member of the General Court of Massachusetts, and a noted figure in the early days of the Colony. His grandfather of the same name was an officer of the customs at Champlain, New York, and it was from him and from his

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daughter, Hannah, that Robert Gorham inherited his taste for music, his fondness for his flower-garden, and the genial qualities that endeared him to his associates.

The union of these qualities on the father's and on the mother's side produced in Gorham a strong and unique character that won at once both respect and affection.

Robert Gorham spent his youth at Northampton, Massachusetts, and prepared for college at the Northampton High School, entering Harvard College in 1881 with honors in the classics. While in Cambridge his career was well rounded. He took part in athletics, was on the class and Varsity tug-of-war, and later rowed as a substitute on the Varsity crew. At the same time his interest in scholarly pursuits resulted in his graduation in 1885 with the degree of *magna cum laude*.

After graduation, he studied law in Northampton for one year, and then returned to Cambridge to continue his studies at the Harvard Law School. While at the Harvard Law School he became a member of the first board of editors of the *Harvard Law Review*, then just started. He graduated from the

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Law School in 1888 with the degree of LL.B., and entered the law office of Ropes, Gray & Loring in Boston. Later he became a partner in that firm, and on the elevation of Mr. Loring to the Supreme Judicial Court of Massachusetts the firm name became Ropes, Gray & Gorham.

At the Bar Gorham would have attained distinction had he chosen to devote himself in the old-fashioned way to advocacy, for he belonged to those who impressed the justice of their cause upon a tribunal by the force of their mind and character rather than by brilliant dexterity of argument or plausible appeal to the emotions. But in the practice of a large modern firm his ability to deal with intricate matters naturally led him more and more to act in an advisory capacity. As an adviser the solidity of his learning, the breadth of his view, and the accuracy of his judgment gained the confidence of his clients and the respect of his professional brethren. A simple directness of method and candor of statement which came from an equal vigor and honesty of mind were distinguishing characteristics in his dealings with any problem, however intricate, and made his work effective.

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The matters in which he was engaged were many and important, but in everything, great or small, he never forgot the obligations of his oath, and every interest in any enterprise in which he was retained benefited by his fidelity in seeking a proper solution and a happy issue out of the difficulties of the situation.

In a similar way he recognized his duty to his profession, and for a term of years as Secretary of the Boston Bar Association and as a member of the Council of the Harvard Law School Association he gave to his profession the benefits of the same qualities that brought him success in private practice.

Nor was the community in which he lived forgotten. For many years he served as Chairman of the School Committee at Newton, and was prominent in other public work, to which he gave most unsparingly his time and thought.

The mere recital here of his activities fails to do him justice. The work in which he was engaged and to which he gave his energies, important as it was, was only the usual work of a busy profession. There was little in it that can be chronicled to advantage. It was

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his character, always adequate to the task before him, that illumined the details of his practice. It was his character, springing from the union of his inherited qualities and brought to fruition by his calm and unflagging pursuit of ideals that in the midst of conventional surroundings made him a leader among his fellows. He turned aside from everything ignoble; he raised petty things to a plane that was fine and high; he won the respect of his adversaries and the affection of his friends. When he died the world for a time seemed a poorer place; but he left behind him an example of service which made the profession he adorned the richer for his memory.

Mr. NUTTER. On behalf of the committee we desire to submit this memorial.

The PRESIDENT. The memorial, brethren, is before you. Are there further remarks to be made?

Mr. ROLAND W. BOYDEN. Mr. President and Gentlemen: Mr. Gorham was my closest friend. Our intimacy began in college, and naturally deepened and strengthened during

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our close business relations through all the years until his death. I find it difficult to analyze my friend.

Looking back over the years of friendship, what stands out is the personality. He had what we call attractiveness, magnetism. I remember that my father, whose interest in all the boys who visited us at Beverly during my college course was particularly keen, was especially impressed with Gorham. It was because of this attractiveness combined with the earnestness which was a feature of his character.

He had a clean-cut, strong, and happy face. His figure was erect. His actions were vigorous and not without grace; his manner was direct, cordial, and sympathetic. And withal there was an impression of genuineness which was real because he was genuine.

His moral tone and his moral ideals were of the very highest character. I need not say to a gathering of lawyers that he was not the type of lawyer who could aid clients in wrong-doing. Certain lawyers repel certain clients, and Gorham was of the type which repels the client who wants to be assisted in something which ought not to be done.

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He had in him something of the best of the Puritan, something of that moral tone and fibre which make for real fundamental strength; but without the intolerance which is so often associated with Puritanism, for Gorham was tolerant of others, tolerant of their opinions, tolerant even of their errors, tolerant of anything which he did not conceive to be intentional and deliberate wrong.

He was not a learned lawyer in the sense in which we speak of Mr. Gray as learned. He was not a specialist in the trial of cases in the courts, although his characteristics were such that, if the opportunity had offered, he would have made an exceptional trial lawyer. He was a business lawyer, and here his balance, his poise, his good sense, and his courage and directness brought him success.

I speak of his courage. So many lawyers are prone to lay stress upon the doubt in connection with the opinion; so many lawyers compromise when they should be firm; so many lawyers protect themselves when they should protect their clients. Gorham was a positive adviser.

As I look back upon his legal work, I think of a development which was the natural

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growth of his early powers, strengthening with experience and maturity. And in the same way on the social side of his character I see his human interest growing from the beginning to the end.

A peculiarly characteristic feature of this latter side of his life is shown by the fact that one of his Chinese fellow-students in the high school at Northampton remained his constant friend through the whole of his life. The boy had been sent over here by the Chinese Government, as many boys were at that time, to be educated in some American school, and fell into companionship with Gorham there at the high school in Northampton. He returned to China when young, I think without going to college, and attained success in business there. Until Gorham's death there was an uninterrupted correspondence between them. About six months before Gorham died, there came out of a clear sky a letter from China saying that his friend was sending over his three children to Gorham to be educated. The children were from eight to fourteen years of age, two girls and one boy. There were no conditions or directions. If any one can imagine how a young

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American boy could have inspired the confidence which brought about that unique trust, he can imagine something of Gorham.

His human side grew, as I have said, all through his life. I think of it as I think of him in his home, where his great delight was to get his friends together for singing, for conversation, or for discussion. Anything in the line of friendliness was what he most liked. I think of it particularly as I think of his relations with his classmates. As he grew in years his confidence in himself grew, and I believe that at our twenty-fifth anniversary some five years ago every member of the class felt that Gorham had contributed more than any other one man to the spirit of union and friendliness which pervaded that whole anniversary.

At the annual reunions of our group of friends at Tamworth, New Hampshire, he, with his happy smile and his fine voice, was our singing leader, and one of the great factors of the occasion. He bound us all together with a spirit of friendliness which never would have reached its height without his presence.

The wars which have prevailed recently

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have often brought into my mind the thought that Gorham might have been a soldier. His was no martial spirit, but if any serious crisis of that kind had come into our lives, I know of no one who would have faced the modern engines of destruction with more of smiling confidence and intelligence, or more of steadfast courage.

Mr. JAMES F. JACKSON. Mr. President: What was said in the memorial resolution and what has been said by Mr. Boyden seem to me to have brought out so clearly and so completely the character of Mr. Gorham that the few words I had intended to add are hardly needed. They may serve simply to emphasize a few of the things that have been said.

When I first became acquainted with him, Mr. Gorham's life-work had already proved a success. He already stood in the front rank of the members of the Suffolk Bar, and apparently there were many years before him in which to enjoy the honors of that success and to carry the responsibilities of it. They proved to be few, but few as they were they added much to the richness of my own exist-

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ence. They afforded me the opportunity to come with him into the intimate relationship and companionship which always make club life so singularly delightful. I know that there is no one of his associates in the small club to which we both belonged who will ever forget what has already been described,—that winning smile, the light in his eye, the cordial grip of his hand that always marked his welcome to every friend.

It is sometimes said that in these later years a spirit of commercialism has taken possession of the Bar, and there may be occasionally some ground for that criticism, but that it is unjust the lives of too many of our brethren prove.

The life of Robert Gorham proves it. Again and again, individually and on committees he gave of his time and thought freely, generously, for the advancement of the highest standards of professional conduct, in service to his neighbors, in service to the community in which he lived, in service to the general public. When he gave he gave unreservedly, he gave the best that was in him. It is for that reason that it was always a joy when public questions were under con-

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sideration to come in touch with a man so clear-headed, so direct and earnest, who could listen as well as talk, who could get something out of the light that the occasion could afford, who was so utterly independent of outside interests, of influence from surroundings, who was so fair in discussion, so absolutely courageous in his final decision. I know of no better way in the little I can offer as tribute than to speak of him as the able and conscientious lawyer, the patriotic and loyal citizen, the sincere and true friend.

Mr. EDMUND A. WHITMAN. Mr. President: Mr. Justice Hammond in one of his contemplative moods once remarked to me that when a judge comes to die, the thing that the Bar likes to say about him best is that he was patient. To paraphrase that remark, when a lawyer comes to die, the thing that his brethren of the Bar like to say about him best is that he was courteous. But to say that about Gorham would be but a portion of the truth. He was courteous, but there was a quality far beyond that in the atmosphere of friendliness which always surrounded

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him. No one could meet him for purposes of business, or in any other association in life, without feeling that atmosphere of friendliness as well as his sympathy with the other man's point of view, which always made it not only easy but a pleasure to transact any matter of business with him. The other man always felt that his point of view would be sought and appreciated, and that the outcome of the discussion would be an attempt to reach something absolutely fair and just to both sides so far as that could be had.

That sort of attitude of friendliness necessarily goes further and invites and encourages friendship, and no man had any stronger or truer friends than Gorham. His whole attitude in life was to invite the friendship of those who were in any way associated with him, and it was as a friend that I saw the most of him. For many years we were accustomed to meet at noon at a lunch-table with a party of friends, and those discussions at noon, sometimes prolonged beyond the time that business would permit, lie in my mind as some of the most interesting and pleasurable experiences of life, not so much from what was said as from the way in which Gorham

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would take part in those discussions and express his own views, always tolerant of those who were against him, never reticent in the expression of his own views, which he put in the frankest way. With him at the table it was never necessary to resort to the weather as a subject of conversation.

That attitude of mind also necessarily brought a demand on the part of the public for service, a demand which was always responded to by him. I need not refer to his service to this Association and to those exacting duties which were always so cheerfully rendered to the advantage of this organization.

I am not so well prepared to speak as some of you as to his service to the public on the School Committee of Newton, except as I have heard one of his associates on that Committee express his high appreciation of his service to the Committee and to the cause of education. He was always a busy man, and yet never too busy to give up his time to his friends and to such public causes as might come in his way.

His gayety of disposition has already been referred to, and it added to the charm that

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came from that attitude of friendliness and made his friends devoted to him. A sketch of his biography has been given you, and I do not wish to dwell upon the incidents of his life so much as to emphasize—and in doing that I only emphasize what the speakers who have preceded me have and what I know those who may follow me will—that capacity for friendship on his part which we all admired,—the loss of which we deplore.

His legal attainments, to those who knew them, were of a high order. As has been said, he was not in the lime-light of the profession. His practice lay along business lines, and when any of us had to do with a circular of some investment house offering bonds for investment, if the legality of the issue had been approved by the firm of which he was a member, the purchase of those bonds was facilitated for those who knew Mr. Gorham's keenness of perception, his thoroughness of investigation, and his accuracy of judgment.

We mourn his loss to the profession, his loss to the community, and to his friends.

MR. BENTLEY W. WARREN. Mr. President:
After the very just appreciation of Gorham's

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character expressed in the committee's memorial, in the remarks of his lifelong friend and partner, and of the other speakers, there is little for me to add except to testify to my own warm affection and esteem for him both in our professional relations and in the intimate personal association of the little dining-club referred to by Brother Jackson.

My earliest acquaintance with Gorham was as a member of the Bar. It was always a delight to go to his office or to see him in mine. His geniality, his possession of that indescribable quality sometimes called magnetic, his attractive personality, made of any occasion for meeting him an added pleasure in the day's work. He was not one of those, the uncertainty of whose manners and bearing, and in some cases indeed the certainty of whose bad manners and bearing, incline us, when we find an interview with them to be necessary, to delay the experience from day to day and until we have developed a pugnacity of disposition suitable to the encounter.

I was always struck by that openness of mind in his attitude toward every question, whether professional or of a general interest,

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which has been so often referred to here to-day, and so fittingly. I always supposed that this native quality received a large measure of increase through his association with Mr. Gray, in whom it was such a distinct characteristic, and whose apparent unconsciousness of his own attainments and willingness to listen to and draw out the ideas of those who were really consulting him continually aroused the admiration of his juniors at the Bar.

There is one phase of Gorham's life that perhaps might receive more emphasis, although it has been already touched upon. This was the cheerful and complete way in which he recognized and met his duties in every relation of life. Indeed, he did this so simply and so naturally that his thorough response to every call might easily have escaped general appreciation. When we recall how busy he was, and then recall how fully he entered into activities outside of the profession as well as in it, we are surely justified in considering him an example of what a lawyer should be. In his profession, for instance, he never confined himself to securing material results of successful practice. For

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years—I do not know for just how long, but certainly during a long period—his name as Secretary of this Association was familiar to us all as a part of every official communication we received. As a member of the Association he always stood for the highest standards of practice, and was loyal to the best traditions of the profession.

Like many other lawyers practising in Boston, his residence was outside of the city. That suburban residence, however, was never to him a mere bedchamber of the city; but, as the memorial points out, and as all acquainted with the affairs of the city of Newton appreciate, he was a force in that community. One of his lines of activity in Newton was on its School Board. This office called for work of a kind quite remote from that of a lawyer, —work that ought to be done well, work of the utmost importance to every community, and yet work which it is very difficult to get competent men to do at all. How well and thoroughly he did it every one interested in the schools of Newton can testify.

His participation in the civic life of Newton was never, however, made an excuse to shirk any duties in this larger business community

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where he practised his profession. For several years he was a member of the Utilities Committee of the Chamber of Commerce. The function of that Committee was to study all the public utility questions affecting Boston and the Metropolitan District, and the attitude to be taken by the Chamber of Commerce toward them. Several times it was my privilege to discuss with Gorham certain matters which that Committee had under consideration. On these occasions I was amazed at the evident thoroughness with which he had gone into the questions, very intricate and very difficult, and requiring a great deal of time to master them and to form proper judgments concerning them.

I have given only isolated instances of the way in which Gorham responded to demands upon his time and energies. They illustrate, however, a side of his life which in him was fully developed and which should be developed in every lawyer,—a will and ability to be a good citizen, just as good a citizen as he was a lawyer. As a result of these all-round activities, although he was not quite fifty when he died, he had become a marked man in the professional life, the business life, and

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the civic life of this community. The death of such a man at so early an age was a very great loss to all of us. His life, however, contains a lesson of great value for the Bar. Of recent years the profession has been the object of much hostile criticism. Its members have been accused of commercialism, and of a use of their great opportunities for purely selfish ends. Whether such criticism is unjust or, as is more likely, has some basis of truth, it would soon cease if all lawyers followed Gorham's ideals in their professional work, and recognized, as he did, the claims of the public to a share in the benefits resulting from their special gifts of training and education.

Mr. JEREMIAH SMITH, Jr. Mr. President: The younger members of the Bar have opportunities for observing one side of the character of their seniors which others do not have. Every lawyer in active practice is subject, as we all know, almost daily to some temptation, more or less subtle, to depart from the highest standards of conduct, and that temptation exists in the case of dealings between younger and older members

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of the Bar. There is a constant temptation to the older member of the Bar to take advantage, for the benefit of his client, of the inexperience of his opponent, and there are lawyers who will not hesitate to take some advantage for the benefit of a client which they would not dream of taking for themselves.

Gorham was not a man of that type. Not lacking in loyalty to his clients, he was able to serve them well and loyally and at the same time do nothing unfair or unjust.

I did not know him when I became a member of the Bar. My first acquaintance with him was when I had occasion to meet him in connection with some negotiations on behalf of our respective clients. I was a very insignificant member of the Bar, but he treated me with as much fairness and consideration as if I had been the Chief Justice of the Commonwealth. I have never forgotten it, and from that time on I had the most absolute confidence in him. He was a man whom every one could and did trust. His career is the best answer that can be made to those laymen, who are unfortunately too numerous, who believe that great success at the Bar is

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not consistent with the highest standards of conduct. Every successful lawyer has little opportunity to leave a permanent monument behind him—he is too busy. The most that he can hope to do except under very extraordinary circumstances is to leave behind him a good example for his own legal generation. That Gorham did. To be like him was the ambition of a great many of the younger members of the Bar who knew him, and that is as good a memory as any lawyer can hope to leave behind him.

Mr. NUTTER. Mr. President, I desire to move that this memorial be adopted and entered upon the records of the Association.

The PRESIDENT. Brethren, you have heard the memorial which has been presented by Brother Nutter and the committee, and the remarks of friends and associates of our Brother Gorham. I cannot refrain from adding a single word. As one by one the faces and figures of the men with whom we have been associated are withdrawn from our sight, different memories remain with us. In Brother Gorham's case it seems as if it

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was a removal of sunshine, both with its warmth and kindliness and its strength and fruitfulness.

He exemplified in a very high degree in professional and in social life the qualities of the peacemaker. I was interested to note in the memorial that one of his forebears had on the shores of Lake Champlain been a peacemaker between neighbors. That quality descended in rich measure to him. He knew that the work of our profession was not that of creating antagonisms and prolonging litigation, but of bringing business and personal interests into accord.

There is an old trite saying, the reply of an English judge when asked what the highest qualities of a lawyer were. He said, "In the first place it is good nature, and in the second place it is good nature, and in the third place it is good nature." In the highest degree Brother Gorham epitomized in himself that quality, not good nature without strength, but good nature with power.

I beg you will express your adoption of the memorial, and direct that it be placed upon our files, by rising.

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Mr. ELDER. The memorial is adopted and will be placed upon the records of the Association.

(The exercises were brought to a close by a motion of adjournment by Mr. Richard W. Hale, duly seconded and passed.)

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